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*Counsel to Plaintiff Black Diamond  
Commercial Finance, LLC*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 15-32450 (KLP)

Jointly Administered

BLACK DIAMOND COMMERCIAL FINANCE, LLC,

Plaintiff,

v.

VIRGINIA CONSERVATION LEGACY FUND, INC. and  
ERP COMPLIANT FUELS, LLC,

Defendants.

Adv. Proc. No. 16-03105 (KLP)

VIRGINIA CONSERVATION LEGACY FUND, INC. and  
ERP COMPLIANT FUELS, LLC,

Counterclaim-Plaintiffs,

v.

BLACK DIAMOND COMMERCIAL FINANCE, LLC,

Counterclaim-Defendant.

**NOTICE OF APPEARANCE AND REQUEST FOR SERVICE**

PLEASE TAKE NOTICE that the undersigned, Dion W. Hayes and John H. Maddock III of McGuireWoods LLP, appear in the above-captioned adversary proceeding on behalf of the plaintiff and counterclaim defendant, Black Diamond Commercial Finance, LLC (“Black Diamond”), and, pursuant to Federal Rules of Bankruptcy Procedure 2002 and 9010(b) and 11 U.S.C. § 1109(b), request that all notices given or required to be given and all papers served in this adversary proceeding be delivered and served upon the parties identified below at the following address:

Dion W. Hayes  
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PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only the notices and papers referred to in the above-mentioned Federal Rules of Bankruptcy Procedure, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints, or demands, whether formal or informal, written or oral, transmitted or conveyed by mail delivery, telephone, facsimile, or otherwise, in this adversary proceeding.

PLEASE TAKE FURTHER NOTICE that the foregoing simply constitutes a request for service and does not constitute consent to the jurisdiction of the Bankruptcy Court or a waiver of the right to a jury trial.

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Dated: May 9, 2016  
Richmond, Virginia

Respectfully submitted,

By: /s/ John Maddock  
Dion W. Hayes (VSB No. 34304)  
John H. Maddock III (VSB No. 41044)  
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*Counsel to Black Diamond Commercial  
Finance, LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 9th day of May 2016, a true and correct copy of the foregoing Notice of Appearance and Request for Service was served via the Court's electronic case filing system (CM/ECF) to all parties registered to receive such notice in the above-captioned adversary proceeding.

/s/ John Maddock  
John H. Maddock III